IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

WP(C).No. 36974 of 2004(B)

PETITIONER:

PROF.V.RAMACHANDRAN NAIR, PRINCIPAL,
MANNAM MEMORIAL RESIDENTIAL PUBLIC SCHOOL,
VALATHUNKAL P.O., KOLLAM AND SECRETARY,
MANNAM MEMORIAL CHARITABLE SOCIETY,
REG.NO.444/2001, VALATHUNKAL P.O. KOLLAM.

BY ADV. SRI.V.VENUGOPALAN NAIR

RESPONDENTS:

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1. THE CORPORATION OF KOLLAM,
REP. BY ITS SECRETARY, CORPORATION OFFICE,
KOLLAM.

2. THE DIRECTOR OF MUNICIPALITIES,
THIRUVANANTHAPURAM.

3. THE STATE OF KERALA, REP. BY ITS
SECRETARY, LOCAL SELF GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

R1 BY ADV. SRI.M.K.CHANDRA MOHANDAS, SC
R2 & R3 BY GOVT.PLEADER SRI.K.J.MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.36974/04

APPENDIX

PETITIONER'S EXTS:

EXT.P1 – DEMAND NOTICE DT.4.6.03 ISSUED BY R1

EXT.P2 – TRUE COPY OF REPRESENTATION SUBMITTED BY PETR. BEFORE R1 DT.13.6.03.

EXT.P3 – TRUE COPY OF DEMAND NOTICE DT.1.9.04 ISSUED BY RESPONDENT TO PETR.

EXT.P4 – TRUE COPY OF ORDER-CUM-DEMAND NOTICE DT.18.9.03 ISSUED BY R1 TO PETR.

EXT.P5 – TRUE COPY OF REPRESENTATION DT.1.10.03 SUBMITTED BEFORE APPEAL COMMITTEE, BY PETR.

EXT.P6 – TRUE COPY OF NOTICE DT.16.11.04 ISSUED BY R1.

EXT.P7 – TRUE COPY OF NO OBJECTION CERTIFICATE ISSUED BY GOVT. OF KERALA

/TRUE COPY/

PIUS C. KURIAKOSE, J.

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W.P.(C)No.36974 OF 2004

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DATED THIS THE 5TH NOVEMBER, 2007

J U D G M E N T

On considering the ratio of the judgment of this Court in **St.Mary of Leuca English Medium School v. Dy. Director** (2006 (3) KLT 760) and on hearing the submissions of Mr.V.Venugopalan Nair, counsel for the petitioner and Mr.M.K.Chandramohan Das, Standing Counsel for the Corporation of Kollam, I am of the view that the issue is covered in favour of the petitioner by the judgment in **St.Mary of Leuca English Medium School's** case. Following that judgment, Exts.P1 and P4 are quashed. The Writ Petition will stand allowed without any order as to costs.

(PIUS C.KURIAKOSE, JUDGE)

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